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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 MICHAEL UTT,

12 Plaintiff(s),

13 v.

14 MATTHEW HILLEGASS,

15 Defendant(s).

Case No.: 2:17-cv-02820-RFB-NJK

Order To Show Cause

16 The Court has previously instructed the parties in this case that they are required to comply
17 with Court orders. *See* Docket No. 47. The Court also issued an order setting a settlement
18 conference and specifically required that “[a]ll counsel of record who will be participating in the
19 trial” must appear. Docket No. 44 at 1. Attorney David Sampson, who will be participating in
20 trial according to representations made at the settlement conference, did not appear as ordered.
21 Moreover, the attorney who did appear (Preston Rezaee) was unfamiliar with basic information in
22 the case, including the previous settlement discussions between the parties.¹ Mr. Rezaee presented
23 an initial settlement offer that was ten times the amount of an offer emailed to opposing counsel
24 last month.

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27 ¹ To that end, the settlement brief submitted by Mr. Rezaee appears to incorrectly state the
28 settlement history. *But see* Docket No. 44 at 3 (requiring settlement statements include “[t]he
history of settlement discussions, if any, which have occurred in this case”).

1 Mr. Sampson and Mr. Rezaee are both hereby **ORDERED** to show cause in writing, no
2 later than September 11, 2018, why they should not be sanctioned jointly and severally in the
3 amount of Defendant's attorney's fees and costs associated with the settlement conference and
4 should not also be sanctioned personally in a fine of up to \$5,000 each. *See, e.g.,* Fed. R. Civ. P.
5 16(f) (sanctions may be imposed on an attorney for (1) failing to appear, (2) failing to participate
6 in good faith, and/or (3) failing to comply with an order).

7 Additionally, Defendant shall file under seal, no later than August 31, 2018, a copy of the
8 email exchange shown to the undersigned during the settlement conference reflecting the
9 settlement offer made by Plaintiff's counsel last month. Defendant shall also serve a copy of that
10 email exchange on Plaintiff's counsel.

11 IT IS SO ORDERED.

12 Dated: August 28, 2018

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15 Nancy J. Koppe
16 United States Magistrate Judge
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